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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,809	06/24/2003	Ramin Samadani	100111573	9848

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

SINGH, RAMNANDAN P

ART UNIT	PAPER NUMBER
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2614

NOTIFICATION DATE	DELIVERY MODE
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01/11/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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mkraft@hp.com
ipa.mail@hp.com

<div style="border: 1px solid black; width: 200px; height: 20px; margin-bottom: 10px;"></div> <p align="center">Office Action Summary</p>	Application No. 10/601,809	Applicant(s) SAMADANI, RAMIN	
	Examiner Ramnandan Singh	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>June 24, 2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 4 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "wherein the media includes audio, video and/or text data" in lines 1-2. It is unclear whether "video and text data" or "video or text data" are claimed. This makes claim 4 indefinite. For the similar reasons, claim 23 is also indefinite.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-4, 6-8, 20-26, 34 and 36 are rejected under 35 U.S.C. 102(a) as being anticipated by Goldenberg et al [WO 03/021927 A2].

Regarding claim 1, Goldenberg et al disclose a method for capturing media during a recording session using a separate input device for each of plural audio sources, as shown in Fig. 1, comprising:

producing audio data with each separate input device (12) [Fig. 1; page 8, lines 24-25] ;

processing the audio data to identify a portion of audio data having a first audio characteristic (i.e. beginning and end of interaction) [Fig. 1; page 9, lines 12-22]; and

storing an audio record for each identified portion of audio data [Fig. 1, element 19; page 8, line 26 to page 9, line 10], wherein each audio record is associated with temporal data used in determining a sequence of the identified portion of audio data in relation to other identified portions of audio data from other separate input devices, and wherein each audio record is associated with identity data representing identifying characteristics for the identified portion of audio data [Fig. 1; page 7, line 3 to page 13, line 9; claims 12-13, 1-5; page 16, lines 4-25].

Claim 21 is essentially similar to claim 1 and is rejected for the reasons stated above.

Regarding claim 2, Goldenberg et al further disclose the method, wherein the producing audio data with each separate input device includes: transferring an audio signal from the separate input device to a processing station (15) to produce an audio

file; and editing the audio file to produce audio data [Fig. 1; page 13, line 19 to page 15, line 16].

Claim 22 is essentially similar to claim 2 and is rejected for the reasons stated above.

Regarding claim 3, Goldenberg et al further disclose the method, wherein a participant who was the audio source for the audio file edits the audio file to produce audio data [Fig. 1; page 18, lines 11-25].

Regarding claim 4, Goldenberg et al further disclose the method, wherein the media includes audio, video or text data [page 6, lines 7-13; claim 8], and wherein the first audio characteristic is at least a predetermined energy level of audio, which is inherent in triggering to record interactions (claim 13) [Fig. 1; page 9, lines 12-22].

Claim 23 is essentially similar to claim 4 and is rejected for the reasons stated above.

Regarding claims 24, Goldenberg et al further disclose a means (13) for generating visual data that is associated with the identified portion of audio data as identity data [Fig. 1; claim 4].

Claim 34 is essentially similar to claim 24 and is rejected for the reasons stated above.

Regarding claim 6, Goldenberg et al further disclose the method, wherein the identity data associates visual data with the identified portion of audio data [page 17, lines 12-15; claim 4].

Regarding claim 7, Goldenberg et al further disclose the method, wherein the audio record contains audio of the identified portion of audio data [claim 5].

Regarding claim 8, Goldenberg et al further disclose the method, wherein the storing an audio record for each identified portion of audio data includes: compiling audio records into a browsable record [Fig. 1; page 3, lines 19-26].

Claims 20 and 25 are essentially similar to claim 8 and are rejected for the reasons stated above.

Regarding claims 26, Goldenberg et al further disclose a means (12) for recording audio [Fig. 1].

Regarding claims 36, Goldenberg et al further disclose the system, the audio data is included as part of a file which contains video data [Fig. 1, element 15].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldenberg et al as applied to claim 1 above, and further in view of Nakamura et al [US 6,061,496].

Regarding claim 9, Goldenberg et al do not teach expressly using recording reference data to reproduce audio data.

Nakamura et al teach using recording reference data to reproduce audio data [Figs. 6-9; col. 8, line 50 to col. 10, line 66; col. 13, line 65 to col. 14, line 14; col. 18, line 64 to col. 19, line 5; claims 1, 7].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Nakamura et al with Goldenberg et al to use

the recorded audio data of Goldenberg et al in order to produce output audio signals [Nakamura et al; col. 8, lines 50-59].

7. Claims 5, 9-19, 27-33, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldenberg et al as applied to claim 1 above, and further in view of Dolby [US 4,773,094].

Regarding claim 9, Goldenberg et al do not teach expressly using recording reference data to reproduce audio data.

Dolby teaches a method for capturing test data, wherein the producing audio data includes recording reference data from a reference signal generator (24), and audio within a storage device, wherein the reference data is based upon a reference signal [Figs. 1-6; col. 2, lines 32-42; col. 3, line 59 to col. 5, line 30; col. 8, lines 56-68].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teachings of Dolby with Goldenberg et al to use the recorded audio data of Goldenberg et al in order to confirm the reproduction of the recorded signal [Dolby; col. 1, lines 15-20].

Claim 27 is essentially similar to claim 9 and is rejected for the reasons stated above.

Regarding claim 10, Dolby further teaches the method, wherein the reference signal is a main reference signal used in generating reference data in each of the separate input devices to synchronize files of participants at locations remote from one another, wherein synchronizing multiple tracks is equivalent to synchronizing files from multiple input devices [Fig. 6; col. 16, lines 40-60; col. 17, line 14 to col. 19, line 34].

Regarding claims 11-19, 28-33, 35, the limitations are shown above.

Regarding claim 5, Dolby further teaches the method, wherein the processing the audio data to identify a portion of audio data includes: filtering the audio data [Figs. 4A through 4E; col. 11, line 42 to col. 12, line 9].

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) Bruno et al [US 5,710,591] teaches a method and apparatus for recording and indexing an audio and multimedia conference [Whole document];

(ii) Degen et al [US 5,586,216] disclose a method and apparatus for recording and audio data user interface [Figs. 1-9; Abstract];

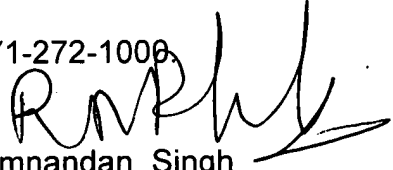
(iii) Hull et al [US 7,167,191 B2] disclose techniques for capturing information during multimedia presentations [Figs. 1 thru 9B; Abstract]; And

(iv) Moran et al [US 5,786,814] disclose a system for playback of a recorded session [Figs. 1-22; Abstract].

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ramnandan Singh
Primary Examiner
Art Unit 2614